

Appin. No. 10/070,886

Attorney Docket No. 11721-011

II. Remarks

Claims 1-18 and 21-23 are pending in this application. No claims have been cancelled. Claim 1 has been amended. No new claims have been added.

Allowed and Objected to Claims

Applicants acknowledge the Examiners allowance of claims 11-13 and 21-23. With regard to claims 4-7, these claims were objected to because they depend from rejected claim 1. Applicants assert that the objections should be vacated based on the amendments to claim 1 and for the reasons stated below in support of the allowance of claim 1.

Rejections Under 35 USC § 102

Claims 1-3, 8 and 10 were rejected under 35 USC §102(b) as being anticipated by European Patent No. EP 0 775 613 issued to Clark (Clark).

Clark discloses a collision deformation system for activating a passive safety system in a vehicle. The deformation system of Clark includes a sensor that is preferably a thin film element. The thin film element varies an electrical property upon elongation or compression (see col. 4; lines 16-20). Clark teaches securing the sensor to a structural component of a vehicle, such as a door, a quarter panel, or a section of a frame or chassis of a vehicle (see col. 4; lines 5-10).

However, Clark does not teach first and second housing members cooperating to define an interior compartment having a channel and an elongated impact sensor element disposed within the channel, wherein the first and second housing members closely interact to deform the impact sensor element, as now claimed, in independent claim 1. In fact, Clark does not describe or illustrate two

-8-

**BRINKS
HOFFER
GILSON
& LIONE**

BRINKS HOFER GILSON & LIONE
PO Box 10395
Chicago, IL 60611-5599

Appln. No. 10/070,886

Attorney Docket No. 11721-011

housing members closeably interacting to deform an impact sensor element at all. Clark teaches securing the thin film sensor element to a structural member of a vehicle such that the deformation of the structural member causes the deformation of the sensor (see Figures 1-3; col. 5, lines 17-20 and lines 41-47). Thus, Clark does not teach or suggest the present invention, as now claimed, in independent claim 1. Accordingly, Applicants assert that claim 1 is patentable over Clark for the reasons stated above and respectfully request allowance of claim 1. Claim 2, 3, 3 and 10 are dependent on claim 1 and, therefore, are allowable for at least the same reasons as given in support of claim 1.

Rejections Under 35 USC § 103

Claim 9 was rejected under 35 USC §103(a) as being unpatentable over Clark in view of U.S. Patent No. 5,141,193 issued to Behr.

Behr discloses a mounting system for a vehicle deceleration sensor. The sensor is press-fitted into a bracket. The sensor is free to slide relative to the bracket upon impingement of the vehicle structure against the sensor (see col. 2; lines 14-31).

However, Behr does not teach first and second housing members cooperating to define an interior compartment having a channel and an elongated impact sensor element disposed within the channel, wherein the first and second housing members closeably interact to deform the impact sensor element, as now claimed, in independent claim 1. The sensor of Behr is not deformed. In fact, the arrangement of the Behr mounting system is specifically designed to avoid destruction or deformation of the Behr sensor (see col. 2, lines 26-30). Thus, Behr does not teach

-9-

BRINKS
HOFFER
GILSON
& LIONE

BRINKS HOFER GILSON & LIONE
PO Box 10395
Chicago, IL 60611-5599

Appln. No. 10/070,886

Attorney Docket No. 11721-011

or suggest the present invention, as now claimed, in independent claim 1. Accordingly, Applicants assert that claim 1 is patentable over Behr for the reasons stated above and respectfully request allowance of claim 1. Claim 9 is dependent on claim 1 and, therefore, is allowable for at least the same reasons as given in support of claim 1.

SUMMARY

Pending Claims 1-18 and 21-23 as amended are patentable. Applicants respectfully request the Examiner grant early allowance of these claims. The Examiner is invited to contact the undersigned attorneys for the Applicants via telephone if such communication would expedite this application.

Respectfully submitted,

January 29, 2006

Date



Raymond J. Vivacqua (Reg. No. 45,369)
Attorney for Applicants

-10-



BRINKS HOFER GILSON & LIONE
PO Box 10395
Chicago, IL 60611-5599